

4500

BILL NO. Z-79-06- 06

ZONING MAP ORDINANCE NO. Z- 20-79

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. K7 & L7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated
a R1 District under the terms of Chapter 33, Municipal Code of the City of
Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning
Map No. K7 & L7, referred to therein, established by Section 33-11, of said
Chapter are hereby changed accordingly, to wit:

Lots 71 thru 98 Nindes Addition; East 69.5' of
Lots 1 & 2 and Lots 4 thru 21 Kuhne & Heaton's
Addition; Lots 1 thru 4 O. S. Hanna's Addition;
Lots 1 thru 12 in VonKahlden's Addition; Lots
1 thru 10 VonKahlden's 2nd Addition; Lots 89
thru 92 in Federal 11th Addition; Lots 140 thru
148 and Lots 155 thru 165 in W. J. & M. S. Vesey's
3rd Addition; East 76' of Lots 74 & 75, Lots 80
thru 111, East 105' of Lots 114 & 115, East 50'
of Lot 116, Lots 120 thru 135 and Lots 138 & 139
in W. J. & M. S. Vesey's 2nd Addition.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage, approval by the Mayor and legal publication
thereof.

Samuel J. Talarico
Councilman

APPROVED AS TO
FORM & LEGALITY

William N. Salin
William N. Salin, City Attorney

Read the first time in full and on motion by Julius, seconded by Thurman, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 6-12-79.

Charles W. Whitman
CITY CLERK

Read the third time in full and on motion by Julius, seconded by Thurman, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>0</u>		<u>2</u>	
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>				<u>✓</u>	
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>				<u>✓</u>	
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHMIDT, V.</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 8-14-79.

Charles W. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ^{ordinance} ORDINANCE

(RESOLUTION) No. 7-20-79. on the 14th day of August, 1979.
ATTEST: (SEAL)

Charles W. Whitman
CITY CLERK

Winful C. Wingo JR
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Whitman
CITY CLERK

Approved and signed by me this 20th day of August, 1979 at the hour of 9 o'clock 9 M., E.S.T.

Robert E. Henschberg
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-06-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1979.

Certified and signed this
25th day of July 1979.



Thomas G. Adams
Secretary

Z-79-06-06

Bill No. _____

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. K7 & L7

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

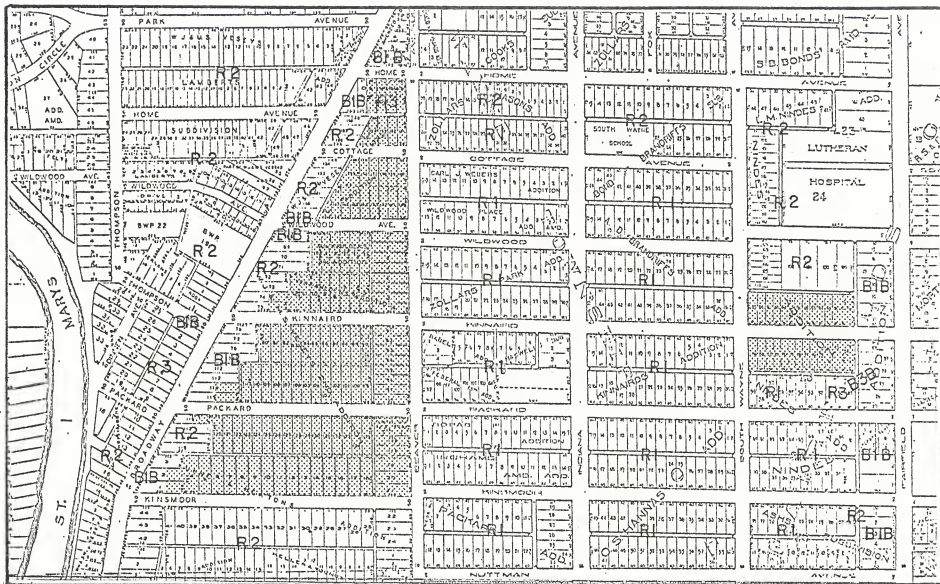
VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

8-14-74 CONCURRED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



CHANGE FROM R2,R3,BIB & B3B TO R1

Map No. K78 L7

Z-79-06-06

Date Filed _____

Intended Use NEIGHBORHOOD
DOWNZONINGI/We SOUTH WAYNE NEIGHBORHOOD ASSOC.
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of
Fort Wayne, Indiana, by reclassifying from a/an R2-R3-B1B2B3B District
to a/an R-1 District the property described as follows:NUNDES ADDITION - LOTS 71 THRU 98KUHNE & HEATONS ADDITION - EAST 69.5' OF LOTS 142 AND LOTS 4 THRU 21O.S. HANNAS LOTS 1 THRU 4VON KAHLDENS ADDITION LOTS 1 THRU 12VON KAHLDENS 2ND ADDITION LOTS 1 THRU 10FEDERAL 11TH ADDITION LOTS 89 THRU 92W.J. & M.S. VESEYS 3RD ADDITION LOTS 140 THRU 148 & 155 THRU 165
(Legal Description) if additional space is needed, use reverse side.W.J. & M.S. VESEYS 2ND ADDITION - E. 76' OF LOTS ^{74 & 75} 141 & 142
OF LOT 141, LOTS 120 THRU 135, AND LOTS 136 & 139 LOTS 80 THRU 111, EAST105' OF LOTS 114 & 115, EAST 50' OF LOT 116, LOTS 120 THRU 135, AND LOTS 138 & 139
(General Description for Planning Staff Use Only)I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.SEE ATTACHED PETITIONS(Name) (Address & Zip Code) (Signature)
(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

JOHN J. IRWIN 4122 BUELL DR. 46807 744-1463
(Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
(Name)	(Address & Zip Code)	(Signature)

REZONING TO R1
SOUTH WAYNE NEIGHBORHOOD ASSOCIATION

- + (1) NINDES ADDITION - 71-98
- + (2) KUHNE & HEATONS ADDITION EAST 69.5' OF LOTS 1 & 2 AND LOTS 4 THRU 21.
- + (3) O.S. HANNAS LOTS 1 THRU 4
- + (4) VONKAHLDENS ADDITION LOTS 1 THRU 12
- + (5) VONKAHLDENS 2ND ADDITION LOTS 1 THRU 10
- + (6) FEDERAL 11TH ADDITION LOTS 89-92
- (7) W.J. & M.S. VESEYS 2ND ADDITION - E 76' OF LOTS 74 & 75, LOTS 80 THRU 111, EAST 105' OF LOTS 114 & 115, EAST 50' OF LOT 116, LOTS 120 THRU 135, ^{AND LOTS} 138 & 139
- + (8) W.J. & M.S. VESSEYS 3RD ADDITION LOTS 140 THRU 148, 155 THRU 165, ~~171-200~~

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-79-06-06DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 71 thru 98 Nindes Addition; East 69.5' of
Lots 1 & 2 and Lots 4 thru 21 Kuhne & Heaton's Addition; Lots 1 thru 4
O.S. Hanna's Addition; Lots 1 thru 12 in VonKahlden's Addition; Lots
1 thru 10 VonKahlden's 2nd Addition; Lots 89 thru 92 in Federal 11th
Addition; Lots 140 thru 148 & Lots 155 thru 165 in W.J. & M.S. Vesey's
3rd Addition; E 76' of Lots 74 & 75, Lots 80 thru 11, East 105' of
Lots 114 & 115, East 50' of Lot 116, Lots 120 thru 135 & Lots 138 & 139
in W.J. & M.S. Vesey's 2nd Addition.

EFFECT OF PASSAGE Property is now zoned R2 - Two Family Residential;
R3 - Multiple Family Residential; B1B - Limited Business; and
B3B - General Business. Property will become R1 - One Family
Residential.

EFFECT OF NON-PASSAGE Property will remain R2, R3, B1B & B3B.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk - room 122

August 21, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates August 27 and September 3, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinance:

Bill No. Z-79-06-06
Zoning Map Ordinance No. Z-20-79

Please send us (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 14th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-06-06 -- Zoning Map Ordinance No. Z-20-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K7 & L7

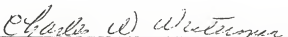
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-06-06 -- Zoning Map Ordinance No. Z-20-79, was passed by the Common Council on the 14th day of August, 1979, said Ordinance was duly signed and approved by the Mayor on the 20th day of August, 1979, and now remains on file and on record in my office.

Copy of Bill No. Z-79-06-06 -- Zoning Map No. Z-20-79 will be posted for reading in the following places in Fort Wayne Allen County, Indiana.


- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copy of Bill No. Z-79-06-06 -- Zoning Map No. Z-20-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana


Charles W. Westerman - City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinance in the designated places as stated on August 27, 1979.


Charles W. Westerman - City Clerk

Common Council of Fort Wayne

(Governmental Unit)

To.....JOURNAL-GAZETTE.....Dr.

Allen

.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

51**2****53****COMPUTATION OF CHARGES**

53 lines, **1** columns wide equals **53** equivalent lines at **.259** cents per line **\$ 13.73**

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.

1.50**15.23**

\$

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type $5\frac{1}{2}$ pointNumber of insertions **2**Size of quad upon which type is cast. $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald
 Title.....CLERK

Date **Sept - 2 79**

Notice is hereby given that on the 14th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-06-06 — Zoning Map Ordinance No. Z-79-06, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K7&L7.

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-06-06 — Zoning Map Ordinance No. Z-79-06, was passed by the Common Council on the 14th day of August, 1979, said Ordinance was duly signed and approved by the Mayor on the 20th day of August, 1979, and now remains on file and on record in my office.

Copy of Bill No. Z-79-06-06 — Zoning Map No. Z-79-06 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana:

(1) The main floor lobby of the City-County Building
 (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
 (3) The bulletin board in the lobby at the East door of the Allen County Court House

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(1) The Reference Room in the north end of the main floor in said Downtown Public Library
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CHARLES W. WESTERMAN
 City Clerk

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinance in the designated places as stated on August 27, 1979.

CHARLES W. WESTERMAN
 City Clerk

8/27 9/3

PUBLISHER'S AFFIDAVIT

State of Indiana
 ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....**ARVILLA DEWALD**.....who, being duly sworn, says that she is.....**CLERK**.....of the

JOURNAL-GAZETTE

a.....**DAILY**.....newspaper of general circulation printed and published in the English language in the city of.....**FORT WAYNE, INDIANA**.....town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for.....**two times**.....the dates of publication being as follows:

8/27 - 9/3/79

Subscribed and sworn to before me this

3 rd

day of

September

My commission expires.....

September 28, 1979

Notary Public

Common Council of Fort Wayne

(Governmental Unit)

To JOURNAL-GAZETTE Dr.**Allen**

County, Ind.

FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

51**2****53****COMPUTATION OF CHARGES**53 lines, 1 columns wide equals 53 equivalent lines at 259 cents per line \$ **13.73**

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50**15.23**

TOTAL AMOUNT OF CLAIM

\$

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 2 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Amelia De Told*Date Sept. 3 19 79Title CLERK**PUBLISHER'S AFFIDAVIT**State of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTEa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town ofin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:8/27 - 9/3/79Subscribed and sworn to before me this 3rd day of September 19 79

Notary Public

My commission expires September 28, 1979

of the Department of
consulting firm and a part-
member, is a part-
Finance
Sen. Fred Harris
aide to the former
C. Rosapepe, once a

at the East door of the Allen County
Court House
Copy of Bill No. 2.79-06-06 - Zon-
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(2) The Journal of the Common
Council Proceedings in the Office of
the City Clerk of Fort Wayne, Indi-
ana, Room 122, City County Build-
ing, Fort Wayne, Indiana

CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of
the City of Fort Wayne, Indiana, ful-
filled and posted the above ordi-
nance in the designated places as
stated on August 27, 1979.

CHARLES W. WESTERMAN
City Clerk
8/27/79

Common Council of Fort Wayne

(Governmental Unit)

To NEWS-SENTINEL

Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines _____

Head number of lines _____

Body number of lines 51

Tail number of lines 2

Total number of lines in notice 53

COMPUTATION OF CHARGES

53 lines, 1 columns wide equals 53 equivalent lines at .259 cents per line \$ 13.73

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM, \$ 15.23

DATA FOR COMPUTING COST

Width of single column 9.9 cms Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

DAILY

a _____ newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town _____

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:

8/27 - 9/3/79

Subscribed and sworn to before me this 3 rd day of September 19 1979

My commission expires September 28, 1979

Notary Public

Notice is hereby given that on the 14th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-06-06 - Zoning Map Ordinance No. 2-20-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 874.17

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-06-06 - Zoning Map Ordinance No. 2-20-79, was passed by the Common Council on the 14th day of August, 1979, said Ordinance was duly signed and approved by the Mayor on the 20th day of August, 1979, and now remains on file and on record in my office.

Copy of Bill No. Z-79-06-06 - Zoning Map No. 2-20-79 will be posted for reading in the following places in Fort Wayne Allen County, Indiana.

(1) The main floor lobby of the City-County Building

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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinance in the designated places as stated on August 27, 1979.

CHARLES W. WESTERMAN
City Clerk

8/27/79

Common Council of Fort Wayne

(Governmental Unit)

To NEWS SENTINEL Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Body number of lines	<u>51</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>53</u>

COMPUTATION OF CHARGES

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TOTAL AMOUNT OF CLAIM

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Sept. 3 19 79Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

8/27 - 9/3/79Subscribed and sworn to before me this 3 rd of September 19 79My commission expires September 28, 1979

Notary Public

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Alexander Gudman
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newspaper, high-l
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FORT

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ana, Room 122, City-County Build-
ing, Fort Wayne, Indiana
CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of
the City of Fort Wayne, Indiana, fu-
lfilled and posted the above ordi-
nance in the designated places as
started on August 27, 1979.
CHARLES W. WESTERMAN
City Clerk
8/27/79